

Marc Wolstenholme
5 Shetland Close
Coventry, England CV5 7LS
Telephone: 044 7827964404
Email: marc@mvwolf-fiction.co.uk
Plaintiff in Pro Per

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

MARC WOLSTENHOLME,
Plaintiff,
vs.
RIOT GAMES, INC.,
Defendant

CASE NO. 2:25-CV-00053-FMO-BFM HON.

Hon. Fernando M. Olguin

DECLARATION OF MARC
WOLSTENHOLME

STATISTICAL REPORT: PROBABILITY
ANALYSIS SUPPORTING PLAINTIFF'S
EXHIBIT U

Dated this: FEBRUARY 28, 2025

M. WOLSTENHOLME

[MARC WOLSTENHOLME]

Statistical Report: Probability Analysis Supporting Plaintiff's Exhibit U

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2 **I, Marc Wolstenholme, declare as follows:**

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4 **1. Background and Introduction**

5 I am the plaintiff in this case against Riot Games, Inc., regarding copyright
6 infringement and unauthorized use of original materials derived from my manuscript
7 "Bloodborg" and related works. I submit this Statistical Report: Probability Analysis Supporting
8 Plaintiff's Exhibit U, as evidence to refute Riot Games's Independent Creation claim.
9

10 Riot Games' claim of independent creation is demonstrably false, as evidenced by
11 overwhelming statistical improbability, extensive direct similarities, and inconsistencies in their
12 own development timeline.

13 Any continued insistence on independent creation, in light of this overwhelming
14 counter-evidence, may constitute a willful misrepresentation of facts to the court, which could
15 amount to bad faith litigation and procedural misconduct.
16

17 Plaintiff reserves the right to request sanctions or seek legal remedies should it
18 become evident that Riot Games is engaging in willful misrepresentation or misleading the court
19 regarding independent creation.
20

21 This declaration provides evidence supporting my request for damages and to
22 outline the profound and ongoing impact of the defendant's actions on the Plaintiff's brand,
23 monetary welfare, and emotional health.
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I. Assessing the Likelihood of Independent Creation in Riot Games' Arcane

Assessment Introduction

This report presents a statistical analysis evaluating the probability that Riot Games' Arcane was created independently of Plaintiff's Bloodborg: The Harvest. Plaintiff predicted 47 key plot points for Arcane Season 2, and 42 of these predictions (89.36%) were correct. Given this high correlation, this analysis quantifies the likelihood that such a level of similarity could occur randomly. Moreover, when the Plaintiff breaks down season 2, he will show how even some of the stuff which wasn't in Arcane, may have been planned to have been in it, but was changed in light of the 2021 copyright claim being first reported to Riot's then CEO.

1. Probability Framework

To assess the probability of Arcane independently featuring the same 42 plot points as Bloodborg, we model this scenario as a binomial probability event where each plot point has a certain probability of appearing by chance.

We compute the probability of randomly obtaining 42 or more correct matches out of 47 total predictions under different assumed probabilities that any given plot point would naturally appear in Arcane.

2. Understanding Binomial Probability

Binomial probability is a statistical method used to calculate the likelihood of achieving a specific number of successful outcomes in a series of independent trials, where each trial has only two possible outcomes: "success" or "failure."

The binomial probability formula:

$$P(X = k) = \binom{n}{k} p^k (1 - p)^{n - k}$$

Where:

n = Total number of trials (in this case, 47 predicted plot points).

k = Desired number of successes (42 correct predictions).

p = Assumed probability of each plot point appearing randomly in Arcane.

We calculate the probability of getting 42 or more correct matches out of 47 by chance under different assumptions for p.

II. Probability Results Under Different Assumptions

<i>Assumed Random Probability per Plot Point</i>	<i>Probability of 42+ Matches by Chance</i>
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50% (extremely generous assumption)	~0.0012% (1 in 83,000)
30% (realistic assumption)	~0.00000000018% (1 in 5.5 trillion)
20% (highly conservative)	~0.00000000000000039% (1 in 2.6 quintillion)
10% (plot points are rarely random)	~0.00000000000000000000000000031% (Effectively zero)

1 **III. Interpretation of Results**

2 Even under an extremely generous assumption of 50% probability per plot point
3 appearing by chance, the likelihood of 42 correct matches occurring randomly is only 0.0012%
4 (1 in 83,000).
5

6 A more realistic probability of 30% reduces the odds to 1 in 5.5 trillion, making
7 independent creation virtually impossible.

8 At 20% or lower, the probability approaches absolute zero, demonstrating that
9 such a high degree of similarity could not occur without external influence.
10

11 These findings mathematically disprove Riot Games' claim of independent
12 creation, as the probability of these plot points appearing without influence from Bloodborg is
13 effectively zero.

14 Furthermore, when considering the improbability of the Plaintiff accurately
15 predicting these plot points before Arcane's release, the statistical likelihood of independent
16 creation becomes even more implausible.
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19 The dual improbability, both of Riot Games allegedly arriving at these plot points
20 independently and the Plaintiff predicting them correctly, further strengthens the argument that
21 Bloodborg served as a direct or heavily influential source for Arcane and was not coincidentally
22 replicated.
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1 **IV. Legal Implications**

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3 Courts have historically accepted high statistical similarity as evidence of copying
4 (Three Boys Music Corp. v. Bolton, 212 F.3d 477, 482-83 (9th Cir. 2000)).
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7 The near-zero probability of independent creation undermines Riot Games'
8 defense and provides mathematical evidence supporting Plaintiff's claims of infringement.
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10 Plaintiff reserves the right to introduce expert statistical testimony reinforcing that
11 Arcane could not have reasonably been developed without Bloodborg as a source.
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V. Conclusion: Independent Creation Claim is Mathematically Baseless

Given the extreme statistical improbability of Arcane independently matching 42 out of 47 plot points from Bloodborg, Plaintiff asserts that Riot Games' claim of independent creation is not only highly improbable but factually and mathematically disprovable. This analysis serves as direct rebuttal evidence against Riot's defense and will be presented in support of Plaintiff's claims.

Given the overwhelming statistical improbability of independent creation, Riot Games' continued reliance on this argument- despite clear mathematical, literary, and evidentiary contradictions- serves as nothing more than a deliberate delay tactic, prolonging litigation and increasing the burden on the Plaintiff, who has already suffered significant emotional and financial distress as a result of this infringement.

If this argument is found to be a knowingly baseless and obstructive litigation strategy, the Court should consider imposing appropriate sanctions under Rule 11 of the Federal Rules of Civil Procedure, as well as any other remedies deemed just and proper, to deter further misuse of judicial resources and prevent undue harm to the Plaintiff.

Declaration

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct to the best of my knowledge and belief.

Respectfully submitted,

Executed on: 28th February 2025.

Marc Wolstenholme

Plaintiff, Pro Se

Signed: *M. WOLSTENHOLME*